



Boyer

14 January 2026

Our Ref: 24.6017

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Planning Policy
Colchester City Council
Rowan House
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Dear Sir/Madam,

Re: Colchester City Council Preferred Options Local Plan Regulation 18 Consultation 2025

These representations have been prepared by Boyer on behalf of Mr T Parker in response to the Colchester City Council Preferred Options Local Plan Regulation 18 Consultation 2025.

The purpose of these representations is to assist Colchester City Council ('the Council') in formulating an approach within the emerging Local Plan that is both consistent with national planning policy and the tests of soundness.

At this early stage of plan-making, it is important that the Council pursues an approach that is consistent with national policy, effective, justified, and positively prepared, in order for the Local Plan to be found sound at examination. These representations comprise our recommendations to assist the Council in achieving such an approach as the emerging plan progresses toward adoption.

The representations relate to the property known as Crockleford Mill, located off Bromley Road, to the north east of Colchester and seek to protect the Mill and its environs as a result of proposed policies in the emerging Local Plan.

Our comments on certain proposed policies in the Plan are set out below.

Policy ST2: Environment and the Green Network and Waterways

We agree with the general principle of this policy that proposals should conserve and enhance Colchester's natural and historic environment and encourage proposals to deliver high quality open spaces. It is important that ecology and biodiversity across the Plan area is protected and where possible enhanced.

The policy seeks to identify strategic biodiversity areas which are presented on the proposals map, with the policy noting as follows:



“Strategic areas that present the best opportunities for habitat creation and enhancement aimed at improving biodiversity are shown on the policies maps as 'strategic biodiversity areas'. These strategic biodiversity areas will be protected, and support will be given to strengthening and enhancing connections between habitats to improve their contribution to the biodiversity network.”

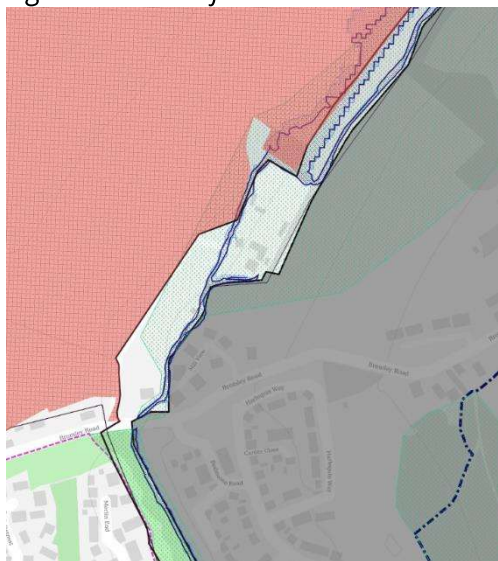
The emerging Local Plan evidence base includes the Colchester City Strategic Biodiversity Assessment (dated January 2025) which provides an assessment of the priorities for strategic promotion of biodiversity within the planning system focussed on the urban area of Colchester City. The intention is to highlight those areas in and around the city in which biodiversity enhancement and creation would provide the greatest benefits.

Salary Brook is identified as an area of biodiversity significance within the report, which is carried through into the Local Plan. Salary Brook flows through Ardleigh Reservoir and then down the eastern edge of the City, joining the River Colne near the University. The evidence base report notes that alongside the brook itself, there are areas of scrub, lowland fen and marshy grassland in the lower sections, and a corridor of scrub and woodland lining the riverbanks further north. The report also notes that *“parts of the area are publicly owned and heavily used by the local community, with management not entirely beneficial to biodiversity, leading to a spread of scrub over what was open grassland. There is the potential for enhancement of these areas by introducing management focused on nature conservation outcomes.”*

With regard to formal designations, the Salary Brook Local Nature Reserve (LNR) is the publicly owned area of the LoWS of the same name (Co146) and consists of the watercourse itself together with marshy grassland and fen communities, scrub and trees in the river corridor.

The Proposals Map identifies the strategic biodiversity area designation and shows that it covers the area along Salary Brook and includes within it the Crockleford Mill complex of buildings to the east as well as open land within our clients ownership to the west, as shown in the centre of the extract of the Proposals Map below.

Figure 1: Extract from Colchester Interactive Proposals Map



From the Interactive Proposals Map, it appears that no other residential properties are included within the Salary Brook strategic biodiversity area. We recognise the importance of landscapes and open land being designated as being able to assist in the connection of fragmented habitats and enhancing the ecological network however, we question the merit of including buildings and garden space within this designation and it is unclear what impact this will have on the landowner in terms of future obligations.

In particular, paragraph 2.12 of the Colchester City Strategic Biodiversity Assessment notes that *"Wherever possible, and appropriate to the biodiversity objectives, sites established or managed for the benefit of biodiversity should also be available to local communities, especially where this provides educational opportunities."* The Crockleford Mill buildings and environs are in private ownership and is not a site established or managed for the benefit of biodiversity in the first instance, nor is it available to local communities. The requirements of the strategic biodiversity area are unclear and appear to create additional obligations on the landowner and prohibitions above and beyond other residential sites in the locality.

We therefore request that the boundary of the strategic biodiversity area be amended to exclude the Crockleford Mill buildings and ownership. An ownership plan can be provided should this be required to assist with the redrawing of the boundary.

Policy PP9: North-East Colchester

The allocation to North-East Colchester proposes *"A predominantly residential development including community infrastructure, strategic open space and approximately 2,000 new dwellings."* We acknowledge that significant infrastructure and mitigation requirements are set out within the policy as well as Policy ST7 which assist in ensuring the site and proposals properly consider its wider context and require appropriate infrastructure to address the quantum of development being proposed.

This proposed allocation lies immediately to the north and west of Crockleford Mill and its associated land to the east of the access lane, and we wish to make comment on a number of criteria within the policy to ensure appropriate protection of Crockleford Mill in terms of residential amenity as well as environmental considerations.

Firstly, it is clear that any information contained within Policy PP9 can only relate to land within the policy boundary and cannot apply to land outside of the boundary. It is not appropriate for the policy to restrict the use of land outside of the policy boundary. As currently worded some policy criteria seek buffers to areas outside of the policy boundary appear to place restrictions on the use of land outside of the policy boundary and in the vicinity of Crockleford Mill in the ownership of our client. Additional restrictions are not necessary as any development at Crockleford Mill and its associated land would be subject to its own assessment by the Local Planning Authority.

Secondly, the provision of an appropriate buffer of approximately 50m wide free of development abutting the southern boundary of the policy site, adjacent to the access lane



would protect the setting of the existing Crockleford Mill for many reasons including residential amenity, visual impacts and noise impacts. The development of such a large allocation in a currently rural area on the edge of the city, alongside the existing commitment of the Tendring Colchester Borders Garden Community (TCBGC) to the east will significantly change the appearance of this part of Colchester City and it is essential that existing properties are respected and protected for their own value.

It is welcomed that the policy requires a site masterplan to be prepared for the allocation area and it is imperative that this is to be undertaken through engagement with the local community ensuring local residents have adequate opportunity to comment and ensure appropriate protection is afforded to neighbouring dwellings.

Policy PP9 would therefore benefit from further clarity on the extent of the buffers to Salary Brook for it to be considered effective.

The purpose of these representations has been to assist Colchester City Council in formulating an approach within the emerging Local Plan that is both consistent with national planning policy and the tests on soundness.

In this regard, our representations relate to the tests of soundness set out at paragraph 36 of the National Planning Policy Framework ('NPPF') (2024); namely, whether the emerging Local Plan is: Positively prepared; Justified; Effective; and Consistent with national policy.

In conclusion, these representations suggest some amendments to the Plan to ensure it is positively prepared and effective in its policies and justifications.

Yours sincerely

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